

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: J.G. ASCHOFF et al. ) Examiner: Sheng Jen Tsai  
)  
Serial No.: 10/672,423 ) Art Unit: 2186  
)  
Filed: September 26, 2003 )  
)  
For: METHOD, APPARATUS AND PROGRAM )  
STORAGE DEVICE FOR PROVIDING )  
AUTOMATIC PERFORMANCE )  
OPTIMIZATION OF VIRTUALIZED STORAGE )  
ALLOCATION WITHIN A NETWORK OF )  
STORAGE ELEMENTS )

Transmitted herewith in the above-identified application is an:

- X Amendment- 6 pages.  
X No additional fee is required.

The fee has been calculated as shown below:

	Remaining After Amendment		Previously Paid For				Additional Fee
Total Claims	11	Minus	43	=	0	X52	= \$0
Independent Claims	1	Minus	7	=	0	X220	= \$0
First Presentation of Multiple Dependant Claim				=		+390	= \$0
						Total	= \$0

— Please charge Deposit Account No. 09-0466 the amount of \$— to cover the extension fee and also the amount of \$— to cover the claim fee.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or any future or concurrent communication or reply, or credit any overpayment to Deposit Account No. 09-0466.

- X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.  
X Any patent application processing fees under 37 CFR 1.17, including all required extension of time fees.

Respectfully submitted,

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Dated: December 11, 2008

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Sheng Jen Tsai on December 11, 2008.

/William Konrad/  
William K. Konrad

12/11/08  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	J.G. ASCHOFF et al.	Examiner	Sheng Jen Tsai
Serial No.	10/672,423	Group Art Unit	2186
Filed	September 26, 2003	Docket No.	SJO920030019US1
TITLE	METHOD, APPARATUS AND PROGRAM STORAGE DEVICE FOR PROVIDING AUTOMATIC PERFORMANCE OPTIMIZATION OF VIRTUALIZED STORAGE ALLOCATION WITHIN A NETWORK OF STORAGE ELEMENTS		

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/William Konrad  
William K. Konrad

AMENDMENT

In response to the office action mailed September 11, 2008, in connection with the above identified application, please enter and consider the following:

Amendments to the Claims are reflected in the listing of claims which begins on page 2.

Remarks/Arguments begin on page 5.